

# PATENT COOPERATION TREATY

From the  
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

## PCT

To:

Williams, Paul Edwin  
ABLETT & STEBBING  
101-103 Baker Street  
LONDON W1M 1FD  
GRANDE BRETAGNE

### NOTIFICATION OF TRANSMITTAL OF THE INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Rule 71.1)

Date of mailing  
(day/month/year)

09.11.2004

Applicant's or agent's file reference  
P168

### IMPORTANT NOTIFICATION

International application No.  
PCT/GB 03/03258

International filing date (day/month/year)  
22.07.2003

Priority date (day/month/year)  
22.07.2002

Applicant  
ABERDEEN UNIVERSITY et Al.—

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.

#### 4. REMINDER

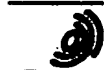
The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices) (Article 39(1)) (see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

The applicant's attention is drawn to Article 33(5), which provides that the criteria of novelty, inventive step and industrial applicability described in Article 33(2) to (4) merely serve the purposes of international preliminary examination and that "any Contracting State may apply additional or different criteria for the purposes of deciding whether, in that State, the claimed inventions is patentable or not" (see also Article 27(5)). Such additional criteria may relate, for example, to exemptions from patentability, requirements for enabling disclosure, clarity and support for the claims.

Name and mailing address of the International  
preliminary examining authority:



European Patent Office - P.B. 5818 Patentlaan 2  
NL-2280 HV Rijswijk - Pays Bas  
Tel. +31 70 340 - 2040 Tx: 31 651 epo nl  
Fax: +31 70 340 - 3016

Authorized Officer

Viegas da Cruz, I  
Tel. +31 70 340-1923



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### INTERNATIONAL PRELIMINARY EXAMINATION REPORT (PCT Article 36 and Rule 70)

Applicant's or agent's file reference <b>P168</b>	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/PEA416)	
International application No. <b>PCT/GB 03/03258</b>	International filing date (day/month/year) <b>22.07.2003</b>	Priority date (day/month/year) <b>22.07.2002</b>
International Patent Classification (IPC) or both national classification and IPC <b>A61H1/02</b>		
Applicant <b>ABERDEEN UNIVERSITY et Al.</b>		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
  
2. This REPORT consists of a total of 6 sheets, including this cover sheet.
 

☒ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 11 sheets.

3. This report contains indications relating to the following items:
 

I ☒ Basis of the opinion

II ☐ Priority

III ☒ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability



IV ☐ Lack of unity of invention

V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

VI ☐ Certain documents cited

VII ☐ Certain defects in the international application

VIII ☐ Certain observations on the international application

Date of submission of the demand:  <b>20.02.2004</b>	Date of completion of this report  <b>09.11.2004</b>
Name and mailing address of the international preliminary examining authority:   <div style="display: inline-block; vertical-align: middle;"> <b>European Patent Office - P.B. 5818 Patentlaan 2</b>  <b>NL-2280 HV Rijswijk - Pays Bas</b>  <b>Tel. +31 70 340 - 2040 Tlx 31 651 epo nl</b>  <b>Fax +31 70 340 - 3016</b> </div>	Authorized Officer  <b>Oelschläger, H</b>  Telephone No. +31 70 340-1968 <div style="text-align: right;">  </div>